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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/618,399

07/11/2003

Yun Hsu Lin

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25859

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09/09/2004

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EXAMINER

VU, PHUONG T

ART UNIT

PAPER NUMBER

2841

DATE MAILED: 09/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/618,399

Applicant(s)

LIN ET AL.

Examiner

Phuong T. Vu

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 June 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) 4,8,9 and 18-20 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-2 is/are allowed.
- 6) ☒ Claim(s) 3,5-7 and 10-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☒ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 11 July 2003.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Election/Restrictions

1. Applicant's election without traverse of claims 1-3, 5-7, 10-17 in the reply filed on June 28, 2004 is acknowledged. Claims 4, 8-9, 18-30 are withdrawn.

Objections

2. The disclosure and claims are objected to because it is unclear from the specification, drawings and claims how the polygonal vents with the sidewalls are provided in the EMI-attenuating panel with such vents. The specification mentions that a polygonal vent is formed with two pairs, each pair comprising three adjacent sidewalls. It is unclear how this can form a polygonal vent. Figure 5 shows the panel with a multitude of polygonal vents, however, it is unclear from the drawing how an individual vent would be characterized.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 6-7, 14-17 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 3 upon which claim 6 depends recites a plurality of polygonal vents. Claim 6 appears to be misdescriptive as it is not possible to derive a polygonal shape from a composite of two first sidewalls oriented parallel to a first axis and two second sidewalls oriented parallel to a second axis that is

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perpendicular to the first axis. This would result in the same structure as recited in claim 1.

Similarly claims 14-17 are rejected, as a polygon cannot be defined by only four sides. Furthermore, as recited in claim 17, it appears that the first sidewalls cannot be perpendicular to the second sidewalls.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 3, 5, 10-13 are rejected under 35 U.S.C. 102(e) as being anticipated by Mitchell (US 6,426,459 B1). Regarding claim 3, the reference discloses an EMI-attenuating ventilation panel 10 for an electronic device enclosure comprising an electronically conductive base plate 24, and a plurality of polygonal vents 54 defined in the base plate, each of the vents having a plurality of sidewalls extending from respective sides thereof.

Regarding claim 5, the vents comprise alternatively arranged first and second vents.

Regarding claim 10, for each of said polygonal vents on the outermost edges, not all the sides have the corresponding sidewalls extending therefrom, respectively (see figure 5).

Regarding claim 11, for each of said polygonal vents, the corresponding sidewalls are alternatively arranged for at least every two adjacent sides thereof.

Regarding claim 12, for each of said polygonal vents, EMI shielding can be achieved by not only the sidewalls extending from the corresponding sides thereof, but also the corresponding sidewalls of the neighboring vents which are located beside the other sides having no sidewalls extending therefrom.

Regarding claim 13, the reference discloses an electronic device enclosure comprising a casing 24 and at least one EMI attenuating air ventilation panel attached to the casing, the at least one panel comprising a plurality of polygonal vents 54 defined therein forming a vent array, each of the vents having at least two sidewalls integrally extending from the panel.

Allowable Subject Matter

7. Claims 1-2 are allowed. The prior art does not suggest providing a plurality of first and second vents alternatively defined in the base plate, each of the first vents having two first sidewalls integrally extending from the base on opposite sides of the first vents, each of the second vents having two second sidewalls integrally extending from the base plate on opposite sides thereof and perpendicular to said first sidewalls, the first and second vents cooperatively forming a vent array.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

Lin (US 6,418,020) discloses a heat sink with fins divided into 4 quadrants wherein each quadrant has sidewalls integrally extending from the base wherein a sidewall comprises two adjacent sides arranged perpendicularly to one another. The reference does not teach providing vents and there is no motivation to do so. Furthermore, the reference does not teach providing alternatively arranged sidewalls wherein with a pair of walls of a first sidewall extends on opposite sides and a second pair of walls extends on opposite sides of and perpendicular to the first pair of sidewalls as recited in claim 1.

Nelson (US 5,744,213) discloses a plurality of alternatively positioned vents which defines a pattern for cooling and airflow but does not teach that the vents have sidewalls as recited in claim 1.

Huang (US 6,446,709B1) discloses a heat sink formed from a two plates. Each plate has vents. Each vent has two integrally extending sidewalls on opposite sides of a vent. However the resulting heat sink does not provide the recited alternatively position first and second vents, with each of first vents having two sidewalls on opposite sides of the first vent and second vents, each of the second vents having two sidewalls on opposites of the second vents and perpendicular to said first sidewalls as recited in claim 1.

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9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phuong T. Vu whose telephone number is (571) 272-2111. The examiner can normally be reached on Mon. & Tues., 7:30 AM - 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David S. Martin can be reached on (571) 272-2107. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



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